

House Amendment 1754

PAG LIN

1 1 Amend Senate File 212, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. Section 331.606A, Code 2007, is
1 6 amended by striking the section and inserting in lieu
1 7 thereof the following:
1 8 331.606A DOCUMENT CONTENT == PERSONALLY
1 9 IDENTIFIABLE INFORMATION.
1 10 1. DEFINITIONS.
1 11 a. "Personally identifiable information" means one
1 12 or more of the following specific unique identifiers
1 13 when combined with an individual's name:
1 14 (1) Social security number.
1 15 (2) Checking, savings, or share account number,
1 16 credit, debit, or charge card number.
1 17 b. "Preparer" means the person or entity who
1 18 creates, drafts, edits, revises, or last changes the
1 19 documents that are recorded with the recorder.
1 20 c. "Redact" or "redaction" means the process of
1 21 removing personally identifiable information from
1 22 documents.
1 23 2. INCLUSION OF PERSONALLY IDENTIFIABLE
1 24 INFORMATION. The preparer of a document shall not
1 25 include an individual's personally identifiable
1 26 information in a document that is prepared and
1 27 presented for recording in the office of the recorder.
1 28 This subsection shall not apply to documents that were
1 29 executed by an individual prior to July 1, 2007.
1 30 Unless provided otherwise by law, all documents
1 31 described by this section are subject to inspection
1 32 and copying by the public.
1 33 3. REDACTION ON A RECORDER'S INTERNET WEBSITE. If
1 34 a document that includes an individual's personally
1 35 identifiable information was recorded with the
1 36 recorder and is available on the recorder's internet
1 37 website, the individual may request that the recorder
1 38 redact such information from the website. The
1 39 recorder shall establish a procedure by which
1 40 individuals may request that such personally
1 41 identifiable information be redacted from the internet
1 42 record available on the recorder's internet website,
1 43 at no fee to the requesting individual. The recorder
1 44 shall comply with an individual's request to redact
1 45 personally identifiable information.
1 46 4. LIABILITY OF PREPARER. A preparer who, in
1 47 violation of subsection 2, enters personally
1 48 identifiable information in a document that is
1 49 prepared and presented for recording is liable to the
1 50 individual whose personally identifiable information
2 1 appears in the recorded public document for actual
2 2 damages of up to five hundred dollars for each act of
2 3 recording.
2 4 5. APPLICABILITY. This section shall not apply to
2 5 a preparer of a state or federal tax lien, a military
2 6 separation or discharge record, or a death certificate
2 7 that is prepared for recording in the office of county
2 8 recorder. If a military separation or discharge
2 9 record or a death certificate is recorded in the
2 10 office of the county recorder, the military separation
2 11 or discharge record or the death certificate shall not
2 12 be accessible through the internet.>
2 13 #2. Title page, by striking lines 1 and 2 and
2 14 inserting the following: <An Act relating to county
2 15 offices, by protecting certain identity information
2 16 contained in documents recorded with the county
2 17 recorder and by increasing salary limits for certain
2 18 deputy officers and providing an applicability date.>
2 19 #3. By renumbering as necessary.
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2 23 LYKAM of Scott
2 24 SF 212.201 82

